

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                )  
                                Plaintiff,     )       8:20CR163  
                                )  
                                vs.              )  
                                )  
SHAWN SMITH and             )       ORDER  
JUSTIN COTTEN,              )  
                                )  
                                Defendants. )  
                                )  
                                )  
                                )

This matter is before the court on the defendant, Justin Cotten's Unopposed Motion to Continue Trial [63]. Counsel needs additional time as the parties continue to work on a potential plea agreement. For good cause shown,

**IT IS ORDERED** that the Motion to Continue Trial [63] is granted, as follows:

1. The jury trial, **for both defendants**, now set for July 6, 2021, is continued to **August 10, 2021**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and August 10, 2021**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).
3. **No further continuances will be granted without a hearing before the undersigned magistrate judge.**

**DATED:** June 25, 2021.

**BY THE COURT:**

s/ Michael D. Nelson  
United States Magistrate Judge